

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 9. Off-Road Vehicles and Engines Pollution Control Devices

Article 3. Off-Highway Recreational Vehicles and Engines

§ 2412. Emission Standards and Test Procedures -- New Off-Highway Recreational Vehicles and Engines.

(a) This section applies to all off-highway recreational vehicles and engines used in such vehicles produced on or after January 1, 1997.

(b) For purposes of certification in California, manufacturers must comply with the following exhaust emissions from new off-highway recreational vehicles and engines that are sold, leased, used, or introduced into commerce in California. Exhaust emissions must not exceed:

Emission Standards

| <i>Vehicle & Model Year</i> | <i>Hydro- carbon</i> | <i>Oxides of Nitrogen</i> | <i>Carbon Monoxide</i> | <i>Particulate Matter¹</i> |
|---|---|-------------------------------|----------------------------|---|
| Off-Road Motorcycles and All-Terrain Vehicles with Engines Greater Than 90cc ³ 1977 and Later (g/km) ⁴ | 1.2 ² | - | 15.0 | - |
| Off-Road Motorcycles and and All-Terrain Vehicles with Engines 90cc or Less 1999 and Later (g/km) | 1.2 ² | - | 15.0 | - |
| All-Terrain Vehicle Option 1997 and Later | Shall comply with exhaust emission standards equivalent to the off-road motorcycle and all-terrain vehicle standard using the utility test procedures set forth in CCR, Title 13, section 2403, and the incorporated document "California Exhaust Emission Standards and Test Procedures for 1993 and Later Small Off-Road Engines," which is hereby incorporated by reference herein. ⁵ | | | |
| Golf Carts in Federal Ozone Non-Attainment Areas 1997 and Later | ZERO | ZERO | ZERO | ZERO |
| Off-Road Motorcycle and All-Terrain Vehicle Option: 1997 and Later Vehicles with Engines Greater Than 90 cc, and 1999 and Later Vehicles with Engines 90 cc or less | Vehicles and engines that do not meet the emissions standards noted above may be certified subject to the use restrictions described in subsection (f) below. | | | |

1. Applicable to diesel and two-stroke spark ignited engines only.

2. Compliance with the 1.2 grams per kilometer HC standard to be applied as a "corporate average" shall be determined as provided in subsection (d). Each engine family shall have only one applicable standard.

3. Cubic centimeter.

4. Grams per kilometer.

5. Compliance with the equivalent all-terrain vehicle HC standard to be applied as a "corporate average" shall be determined as provided in subsection (d). Each engine family shall have only one applicable standard.

(c)(1) The test procedures for determining certification and compliance with the standards for exhaust emissions from new off-road motorcycles, all-terrain vehicles, and golf carts are set forth in "California Exhaust Emission Standards and Test Procedures for 1997 and Later Off-Highway Recreational Vehicles and Engines," adopted November 23, 1994, and last amended October 22, 1999, which are hereby incorporated by reference herein and which in turn incorporate by reference Subparts E and F, Title 40, Code of Federal Regulations. Manufacturers of the following are not required to perform emissions testing, but must file an application of certification and comply with the administrative requirements outlined in the procedures to certify their vehicles for sale in California:

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(A) Golf carts,

(B) Off-road motorcycles and all-terrain vehicles, and engines used in such vehicles, as described in subsection (f) below.

(2) The test procedures for determining certification and compliance with the standards for exhaust emissions from all-terrain vehicle engines (those engines utilizing the optional standards noted in (b) above) are set forth in "California Exhaust Emission Standards and Tests Procedures for 1995 and Later Small Off-Road Engines," adopted March 20, 1992, and last amended March 23, 1999.

(d) Compliance with a standard to be applied as a "corporate average" shall be determined as follows:

$$\frac{\sum_{j=1}^n G(\text{PROD})_{jx} (\text{STD})_{jx}}{\sum_{j=1}^n G(\text{PROD})_{jx}} = \text{STD}_{ca}$$

n = Off-road motorcycle and all-terrain vehicle engine families.

PROD_{jx} = Number of units in family j produced for sale in California in model year x

STD_{jx} = The manufacturer designated HC exhaust emission standard for engine family j in model year x , which shall be determined by the manufacturer subject to the following conditions: (1) no individual engine family exhaust emission standard shall exceed 2.5 g/km, and (2) no engine family designation or engine family exhaust emission standard shall be amended in a model year after the engine family is certified for the model year, and (3) prior to sale or offering for sale in California, each engine family shall be certified in accordance with "California Exhaust Emissions Standards and Test Procedures for 1997 and Later Off-Highway Recreational Vehicles and Engines" adopted November 23, 1994, and shall be required to meet the manufacturer's designated HC exhaust emission standard as a condition of the certification Executive Order. Prior to certification the manufacturer shall also submit estimated production volumes for each engine family to be offered for sale in California.

STD_{ca} = A manufacturer's corporate average HC exhaust from those California off-road motorcycles and all-terrain vehicles subject to the California average HC emissions standard, as established by an Executive Order certifying the California production for the model year. This order must be obtained prior to the issuance of certification Executive Orders for individual engine families for the model year and shall include but not be limited to the following requirements:

(1) During the manufacturer's production year, for each vehicle produced for sale in California, the manufacturer must provide the following information to the Executive Officer within 30 days after the last day in each calendar quarter:

(i) vehicle identification numbers and an explanation of the identification code if applicable;

(ii) model number and engine size of vehicle;

(iii) the total number of vehicles marketed and produced for sale in California and their applicable designated emissions standards.

(2) The manufacturer's average HC exhaust emissions shall meet the corporate average standard at the end of the manufacturer's production for the model year.

(3) Production and sale of vehicles which result in non-compliance with the California standard for the model year shall cause a manufacturer to be subject to civil penalties, according to applicable provisions of the Health and Safety Code. All excess emissions resulting from non-compliance with the California standard shall be made up in the following model year.

(4) For a period of up to one year following the end of the model year, for each model the manufacturer shall submit California sales and registration data as it becomes available.

(e) As an option to the standards set forth in subsection (b) above, exhaust emissions from 1997 and later all-terrain vehicle engines must not exceed the equivalent to the off-road motorcycle and all-terrain vehicle standard using the test procedures set forth in "California Exhaust Emission Standards and Test Procedures for 1995 and Later Small Off-Road Engines", adopted March 20, 1992, and last amended March 23, 1999, which is hereby incorporated by reference herein.

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(f) Off-road motorcycles and ATVs, and engines used in such vehicles, that do not meet the emissions standards in subsection (b) above may operate only during certain periods of time at certain off-highway vehicle (OHV) riding areas. Section 2415 of this Article lists these California OHV riding areas and their associated riding seasons for off-highway recreational vehicles that are subject to use restrictions.

(g)(1) On or after January 1, 1997, no new engines greater than 90cc may be produced for sale to replace off-road motorcycles, all-terrain vehicles and engines used in such vehicles, unless those engines comply with the emission control standards in effect at the time of replacement.

(2) On or after January 1, 1997, manufacturers may not produce for sale in federal ozone non-attainment areas of California new, non-zero emission engines for golf carts.

(3) On or after January 1, 1999, no new engines 90cc or less may be produced for sale to replace off-road motorcycle and all-terrain vehicle engines, unless those engines comply with the emission control standards in effect at the time of replacement.

(h) The Executive Officer may find that any off-road motorcycles, all-terrain vehicles or engines used in such vehicles certified to comply with California emission standards and test procedures for on-road or other off-road applications are in compliance with these regulations.

(i) No crankcase emissions shall be discharged into the ambient atmosphere from 1997 and later off-road motorcycles, all-terrain vehicles, golf carts, or engines used in such vehicles.

NOTE: Authority cited: Sections 39600, 39601, 43013, 43018 and 43107, Health and Safety Code. Reference: Sections 43013, 43018 and 43107, Health and Safety Code.

REFERENCE